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**CERTIFICATE OF SERVICE**

I hereby certify that on the 8<sup>th</sup> day of October 2009, I electronically filed the foregoing with the Clerk of Court for the U.S. District Court, Southern District of Texas, using the CM/ECF system of the court, which will send notification of such filing to the to individuals who have consented in writing to accept notification as service of this document by electronic means. All other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by first class mail today, October 8, 2009.

/s/ David T. Bright  
David T. Bright